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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/875,444

06/06/2001

Bruce R. Baird

15184.2

5041

7590

07/28/2006

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EXAMINER

WOO, ISAAC M

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 07/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/875,444	<b>Applicant(s)</b> BAIRD ET AL.	
	<b>Examiner</b> Isaac M. Woo	<b>Art Unit</b> 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-15, 18-20 and 22-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-15, 18-20 and 22-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. This action is in response to Applicant's amendment, filed on May 04, 2006 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 1-9, 12-14 and 18-19 are amended. Claims 11, 16-17 and 21 are canceled. Claims 22-23 are newly added. And claims 1-10, 12-15, 18-20 and 23 are pending.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-10, 12-15, 18-20 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Fields et al (U.S. Patent No. 6,338,059, herein after, "Fields").

With respect to claim 1, Fields teaches selecting one or more search terms (i.e., selected word XML, 35 in fig. 1A, col. 3, lines 45-65) within a first application at a

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computer (i.e., client, 210 in fig. 6, col. 6, lines 34-55); activating the one or more search terms within the first application (i.e., with sub button 37 in fig 1A, selection is submitted); performing a search based on the one or more search terms (i.e., search word, 61 in fig. 2, col. 4, lines 14-37) with a second application at the computer (i.e., hosting server extracts (searching) results according to selected search words, fig. 2, col. 4, lines 14-37), the computer remaining in a context of the first application and not displaying the second application to a user (i.e., user does not see (not displayed on user computer) searching engine's execution); and retuning search results to the first application (results, 65 in fig. 2, col. 4, lines 14-37), wherein returning search results generated by the second application to the first application further comprises: copying at least a portion of the search results into the first application; pasting at least a portion of the search results into the first application (i.e., extracted contents are from sources site (307 in fig., 7) filtered (portions are copied and pasted), fig. 7, col. 7, lines 24-51); deleting a portion of the search results (i.e., extracted search results are filtered, fig. 7, col. 7, lines 24-51); saving at least a portion of the search results (col. 7, lines 24-51); and displaying search results when a mouse arrow is moved over the selected search data in the first application (i.e., 111, fig. 5, col. 6, lines 25-33, col. 7, lines 24-51).

With respect to claim 2, Fieldds teaches the first application is selected from the group of: word processor; spreadsheet, database, image processor, web browser; text recognition; email client, and operating system (col. 3, lines 45-67 to col. 4, lines 1-13).

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With respect to claim 3, Fieldds teaches automatically selecting the one or more search terms pursuant to pre-defined rules (col. 3, lines 45-67 to col. 4, lines 1-13).

With respect to claim 4, Fieldds teaches configuring the search (col. 3, lines 45-67 to col. 4, lines 1-13).

With respect to claim 5, Fieldds teaches searching according to a context of the one or more search terms (col. 3, lines 45-67 to col. 4, lines 1-13).

With respect to claim 6, Fieldds teaches storing the search results (col. 7, lines 24-51).

With respect to claim 7, Fieldds teaches presenting the search results to the user without the user having to exit the first application (col. 4, lines 13-37).

With respect to claim 8, Fieldds teaches the search is performed without the user having to exit the first application (col. 3, lines 45-67 to col. 4, lines 1-13).

With respect to claim 9, Fieldds teaches the manipulating, by a user, the search results within the first application (col. 3, lines 45-67 to col. 4, lines 1-13).

With respect to claim 10, Fieldds teaches computer readable medium having computer executable instructions (col. 9, lines 35-65).

With respect to claim 12, Fieldds teaches the search data comprises at least one of: text; a remote file; an image; a sound file, an MPEG file; and metadata (col. 3, lines 45-67 to col. 4, lines 1-13).

With respect to claim 13, Fieldds teaches configuring the search by selecting at least one search location (col. 3, lines 45-67 to col. 4, lines 1-37).

With respect to claim 14, Fieldds teaches selecting search data (i.e., selected word XML, 35 in fig. 1A, col. 3, lines 45-65) within a first application in the computer system (i.e., client, 210 in fig. 6, col. 6, lines 34-55); activating the search data within the first application (i.e., with sub button 37 in fig 1A, selection is submitted); performing a search on the search data in the background with a second application (i.e., search word, 61 in fig. 2, col. 4, lines 14-37) wherein the user is not required to open the second application or view a window of the second application (i.e., user does not see (background performing may not be displayed on user computer) searching engine's execution); returning search results generated by the second application to the user within the first application (results, 65 in fig. 2, col. 4, lines 14-37), wherein the user views the search results within the first application, and, wherein returning search results generated by the second application to the user within the first application further

comprises at least one of; copying at least a portion of the search results into the first application; pasting at least a portion of the search results into the first application (i.e., extracted contents are from sources site (307 in fig. 7) filtered (portions are copied and pasted), fig. 7, col. 7, lines 24-51); deleting at least a portion of the search results (i.e., extracted search results are filtered, fig. 7, col. 7, lines 24-51); saving at least a portion of the search results (col. 7, lines 24-51); and displaying the search results when a user moves a mouse arrow over the select e search data in the first application (i.e., 111, fig. 5, col. 6, lines 25-33, col. 7, lines 24-51).

With respect to claim 15, Fieldds teaches computer readable medium having computer executable instructions (col. 9, lines 35-65).

With respect to claim 18, Fieldds teaches selecting search data within a context of a first application at a computer (i.e., selected word XML, 35 in fig. 1A, col. 3, lines 45-65); searching a network using a second application based on the selected search data (i.e., search word, 61 in fig. 2, col. 4, lines 14-37), wherein the second application operates in a background and is not displayed to the user (i.e., user does not see (background performing may not be displayed on user computer), wherein the computer keeps a user in a context of the first application (results, 65 in fig. 2, col. 4, lines 14-37), and presenting search results to the user within the context of the first application (results, 65 in fig. 2, col. 4, lines 14-37), wherein presenting the search results to the user further comprises at least one of: copying at least a portion of the search results

into the first application; pasting at least a portion of the search results into the first application (i.e., extracted contents are from sources site (307 in fig. 7) filtered (portions are copied and pasted), fig. 7, col. 7, lines 24-51); deleting at least a portion of the search results (i.e., extracted search results are filtered, fig. 7, col. 7, lines 24-51); saving at least a portion of the search results (col. 7, lines 24-51); and displaying the search results when a user moves a mouse arrow over the previewed data in the first application (i.e., 111, fig. 5, col. 6, lines 25-33, col. 7, lines 24-51).

With respect to claim 19, Fieldds teaches identifying search data that has been selected in the first application, the search data including text (i.e., selected word XML, 35 in fig. 1A, col. 3, lines 45-65); activating the search data by providing the selected search data to a browsing application (i.e., search word, 61 in fig. 2, col. 4, lines 14-37), wherein the browsing application performs a search on a computer network using the search data (i.e., search word, 61 in fig. 2, col. 4, lines 14-37) and wherein the browsing application is not displayed to a user (i.e., user does not see (background performing may not be displayed on user computer)); receiving search results from the browsing application (results, 65 in fig. 2, col. 4, lines 14-37); and presenting the search results in a context of the first application (i.e., 111, fig. 5, col. 6, lines 25-33, col. 7, lines 24-51); wherein the user is not required to switch from the browsing application to the first application (fig. 1A-B, fig. 2, col. 4, lines 14-37); wherein presenting the search results further comprises at least one of: copying at least a portion of the search results into the first application; pasting at least a portion of the search results into the first application

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(i.e., extracted contents are from sources site (307 in fig. 7) filtered (portions are copied and pasted), fig. 7, col. 7, lines 24-51); deleting at least a portion of the search results (i.e., extracted search results are filtered, fig. 7, col. 7, lines 24-51); saving at least a portion of the search results (col. 7, lines 24-51); and displaying the search results when a user moves a mouse arrow over the previewed data in the first application (i.e., 111, fig. 5, col. 6, lines 25-33, col. 7, lines 24-51).

With respect to claim 20, Fieldds teaches a limit is placed on the number of search results to be returned (col. 6, lines 25-33, col. 7, lines 24-51).

With respect to claims 22-23, Fieldds teaches computer readable medium having instructions for performing the computer implemented method (col. 9, lines 35-65).

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

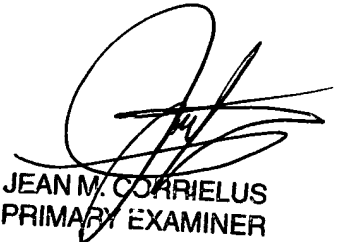
**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

IW  
July 20, 2006

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER